

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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FREDDIE T. MCLAURIN, JR.,

Plaintiff,

v.

C.C.I. OFFICER C/O HAG,

Defendant.

ORDER

11-cv-766-slc

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On November 10, 2011, I directed plaintiff Freddie McLaurin to submit his six-month trust fund account statement so that I could assess an initial partial payment of the \$350 fee for filing this case. In response to this order, plaintiff has submitted a canteen account statement for the day of July 5, 2011 along with a letter in which he says that is the only trust fund account statement that he has. This one-day statement is not enough. I will construe plaintiff's letter as a motion for an extension of time to submit the required six-month statement and I will extend plaintiff's deadline to submit his trust fund account statement until December 27, 2011.

According to 28 U.S.C. § 1915 (a)(2), a prisoner's account statement must be for the six-month period immediately preceding the filing of the complaint. Congress has dictated the manner in which how fees are calculated for prisoners filing federal lawsuits and appeals, and I have no discretion to modify this method. Therefore, if plaintiff intends to pursue his request to proceed *in forma pauperis* in this lawsuit, he will need to submit a full six-month trust fund account statement that covers the period beginning May 5, 2011 and ending November 5, 2011. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under § 1915(e)(2). If plaintiff fails to provide his statement, this case will be closed.

ORDER

IT IS ORDERED that plaintiff Freddie McLaurin is GRANTED an enlargement of time to December 27, 2011, in which to submit a trust fund account statement covering the period beginning approximately May 5, 2011 and ending approximately November 5, 2011. If, by December 27, 2011, plaintiff fails to respond to this order, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 5<sup>th</sup> day of December, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge